



1 APPEARANCES:

2 Owen MacBride  
3 Deborah Bone  
4 Schiff Hardin LLP  
5 233 South Wacker Dr., Suite 6600  
6 Chicago, Illinois 60606  
7 (Appearing on behalf of NuStar Pipeline  
8 Operating Partnership L.P.)

9 Marcy Sherrill  
10 Illinois Commerce Commission  
11 160 North LaSalle St., Suite C-800  
12 Chicago, Illinois 60601  
13 (Appearing on behalf of Staff of the  
14 Illinois Commerce Commission by phone.)

15 Mack H. Shumate Jr.  
16 Union Pacific Railroad Company  
17 101 N. Wacker Drive, Suite 1920  
18 Chicago, Illinois 60606  
19 (Appearing on behalf of Union Pacific  
20 Railroad Company by phone.)

21 Carmen Fosco  
22 Rooney Rippie & Ratnaswamy LLP  
23 350 West Hubbard St., Suite 600  
24 Chicago, Illinois 60654  
25 (Appearing on behalf of Rockies Express  
26 Pipeline LLC by phone.)

27 Nick Burrus  
28 Milano & Grunloh  
29 114 West Washington Ave.  
30 Effingham, Illinois 62401  
31 (Appearing on behalf of EJ Water Cooperative  
32 by phone.)

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1		I N D E X	
2	WITNESS		PAGE
3	(None.)		
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10		EXHIBITS	
11	(None.)		
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1 PROCEEDINGS

2 JUDGE YODER: By the authority vested in me  
3 by the Illinois Commerce Commission, I now call  
4 Docket 15-0646. It's an application filed by NuStar  
5 Pipeline Operating Partnership L.P. pursuant to  
6 Section 15-401 of the Common Carrier by Pipeline Law  
7 and Section 8-503 and 8-509 of the Public Utilities  
8 Act for a Certificate in Good Standing to operate an  
9 Anhydrous Ammonia Pipeline and for certain other  
10 relief, including the eminent domain authority.

11 May I have the appearances for the record,  
12 please? We'll start here in Springfield and then I  
13 will try and address the people on the phone.

14 MR. MACBRIDE: Thank you, Judge.

15 Appearing on behalf of the Applicant, NuStar  
16 Pipeline Operating Partnership L.P., Owen MacBride  
17 and Deborah Bone, B-O-N-E. Our address is 233 South  
18 Wacker Drive, Suite 6600, Chicago, Illinois, 60606.

19 JUDGE YODER: Thank you.

20 Anyone else here in Springfield wishing to  
21 enter their appearance?

22 (No response.)

23 JUDGE YODER: Any appearance on behalf of  
24 Staff of the Illinois Commerce Commission?

1 MS. SHERRILL: On behalf of Staff of the  
2 Illinois Commerce Commission, Marcy Sherrill,  
3 S-H-E-R-R-I-L-L, 160 North LaSalle, Suite 800,  
4 Chicago, Illinois, 60601.

5 JUDGE YODER: Thank you.

6 Any appearance for the Union Pacific  
7 Railroad Company?

8 MR. SHUMATE: Thank you, your Honor.

9 This is Mack, M-A-C-K, Shumate,  
10 S-H-U-M-A-T-E, appearing on behalf of the Union  
11 Pacific Railroad Company. Our offices are at 101  
12 North Wacker Drive, Chicago, Illinois, Suite 1920.

13 JUDGE YODER: Thank you.

14 Any appearance in this docket on behalf of  
15 Rockies Express Pipeline?

16 MR. FOSCO: Yes, your Honor. Thank you.

17 Carmen L. Fosco, F-O-S-C-O, with Rooney,  
18 Rippie and Ratnaswamy, LLP, appearing on behalf of  
19 Rockies Express Pipeline LLC. My address is 350 West  
20 Hubbard Street, Suite 600, Chicago, Illinois, 60654.

21 JUDGE YODER: Thank you.

22 Mr. Burrus, did you wish to enter your  
23 appearance on behalf of I think you said EJ Water  
24 Corp?

1 MR. BURRUS: Yes, your Honor.

2 This is Nick Burrus, B-U-R-R-U-S, with  
3 Milano and Grunloh Engineers, 114 West Washington  
4 Avenue, Effingham, Illinois, 62401 on behalf of EJ  
5 Water Cooperative.

6 JUDGE YODER: Just so I am clear, you said  
7 engineers. You are an attorney though, is that  
8 correct?

9 MR. BURRUS: No, sir.

10 JUDGE YODER: You're not an attorney?

11 MR. BURRUS: No, sir.

12 JUDGE YODER: All right. Then with that, is  
13 there anyone else wishing to enter their appearance  
14 in this docket?

15 (No response.)

16 JUDGE YODER: Let the record reflect no  
17 response.

18 And there's landowners. We will address any  
19 landowners here in the room. If you have any  
20 questions, we will kind of go over the process here  
21 at the Commission on this docket. You don't need to  
22 enter your appearance today. If you do after today,  
23 we will kind of go over the process for how you do  
24 that. All right.

1           First matter we have are the two Petitions  
2   to Intervene that were filed by -- one by Union  
3   Pacific Railroad, the other by Rockies Express  
4   Pipeline. Mr. Shumate indicated they had to re-file  
5   the Union Pacific Railroad's petition for lack of a  
6   verification.

7           But assuming nothing else changed, is there  
8   any objection to those petitions?

9           MR. MACBRIDE: No objection.

10          MS. SHERRILL: No objection, your Honor.

11          JUDGE YODER: Without objection, when  
12   they're properly filed by the Clerk and accepted,  
13   then those Petitions to Intervene will be granted.

14          We also have a motion for entry of a  
15   Protective Order. Has everyone had an opportunity to  
16   see that?

17          MR. SHUMATE: Yes, your Honor.

18          MS. SHERRILL: Yes, your Honor.

19          MR. FOSCO: Yes, on behalf of REX Pipeline.

20          JUDGE YODER: Is there any objection to the  
21   entry of that Protective Order?

22          MS. SHERRILL: Not from Staff, your Honor.

23          MR. SHUMATE: None from the Union Pacific  
24   Railroad, your Honor.

1           MR. FOSCO: None from REX, your Honor.

2           JUDGE YODER: Without objection, that  
3 Protective Order will be entered. I will sign it and  
4 give it to the Clerk's office today and that will  
5 cover the parties' dealings going forward with any  
6 confidential materials.

7           We also have a motion to set a procedural  
8 schedule. My understanding from before going on the  
9 record is that everyone has had an opportunity to  
10 view it.

11           Is there any objection to the schedule as  
12 set forth by NuStar?

13           MR. FOSCO: Carmen Fosco on behalf of REX,  
14 Rockies Express, your Honor. No objection from us.

15           MS. SHERRILL: No objection from Staff, your  
16 Honor.

17           MR. SHUMATE: No objection from the Union  
18 Pacific Railroad, your Honor.

19           JUDGE YODER: Thank you.

20           I assume you don't have -- deny any  
21 objection, Mr. MacBride.

22           All right then, I will read that schedule  
23 into the record. The schedule calls for Staff and  
24 any Intervenor direct testimony to be filed April 12,



1     2016. NuStar would then file any rebuttal testimony  
2     May 6, 2016. Staff and any Intervenor rebuttal  
3     testimony that they wish to file would be filed on  
4     June 1, 2016. NuStar would file any surrebuttal  
5     testimony by June 21, 2016. This matter would then  
6     be set for an evidentiary hearing to commence on  
7     June 28, 2016. At this point, set it for June 28th,  
8     June 29th and June 30th. If there are fewer issues  
9     than need three days, obviously, we can address that  
10    later.

11            The schedule calls for initial briefs to be  
12    filed July 26, 2016. Reply briefs will be filed  
13    August 9, 2016, to be followed by the Proposed Order  
14    and then the schedule addresses the briefs on  
15    exceptions and reply briefs 14 and 7 days. That's  
16    called for by the Commission rules following the  
17    issuance of the Proposed Order. Schedule would also  
18    reflect that there is a deadline at this point of  
19    December 22, 2016, for Commission action on this  
20    petition.

21            I will enter that schedule. I would also, I  
22    guess, in addition to that would ask that the parties  
23    who participate in the evidentiary hearing file an  
24    exhibit list. I shouldn't say file. I should say

1 provide me with an exhibit list of all your testimony  
2 that you are going to move into evidence with the  
3 date it was filed and any accompanying exhibits,  
4 whether there was any confidential or proprietary  
5 filings. That does not need to be filed on e-Docket.  
6 It's merely for my convenience and assistance in  
7 filling out a clear Administrative Law Judge Hearing  
8 Report.

9 I would also offer the parties the  
10 opportunity, if they wish, assuming there are  
11 contested issues, that when the reply briefs are  
12 filed August 9, 2016, if any party wishes to file any  
13 suggested conclusions on any issues that are  
14 contested, they could file those. They're not  
15 required. I will not hold it against anyone if they  
16 don't file a suggested conclusion. But if they wish  
17 to avail themselves with the opportunity to do, you  
18 do not need to summarize either your or any other  
19 party's position in that. You could, if you wish,  
20 probably suggest a conclusion for that contested  
21 issue.

22 With that, are there any questions?

23 MS. SHERRILL: Your Honor, was there a date  
24 that you wanted the evidence we attempt to move in

1 the -- the exhibits we intend to move into evidence?

2 JUDGE YODER: Good question. I just came up  
3 with one question.

4 That can be provided that morning. If you  
5 want to send it the day before, that's fine. It's  
6 just something for me to have when I'm typing out the  
7 hearing report.

8 What time do the parties wish to commence  
9 the evidentiary hearing on the 28th? Sometimes a lot  
10 of people travel. Sometimes we start at 10:00.

11 MR. MACBRIDE: This is Owen MacBride. I  
12 would suggest 10:00 a.m. on the first day. And if it  
13 turns out that multiple days are needed, then perhaps  
14 we could start a little earlier on the second or  
15 third day, if necessary. But 10:00 on the first day  
16 I would suggest.

17 MS. SHERRILL: Your Honor, my only concern  
18 with that is that I, at least, will have to be  
19 appearing via teleconference. And there is a Regular  
20 Open Meeting scheduled on the 29th, which means our  
21 teleconference equipment will not be available until  
22 after that meeting.

23 JUDGE YODER: Okay. That would be the  
24 second day of the hearing if it goes into two days.

1 MS. SHERRILL: Yeah, the 29th.

2 JUDGE YODER: We can address that on the  
3 29th. I was going to ask if you wanted the  
4 videoconference equipment reserved for the 28th  
5 through the 30th. I was hoping that we don't go too  
6 long, we may just start the second day like at 11:00  
7 or something when the Commission hearing is done. We  
8 could start at 9:00. We'd have to break by 10:00 if  
9 we start at 9:00. So I guess we can address that on  
10 the 28th, how the parties think it's going.

11 MS. SHERRILL: Okay.

12 MR. FOSCO: Your Honor, Carmen Fosco, REX  
13 Pipeline. Mr. MacBride's suggestion is fine with us  
14 as to the start time.

15 JUDGE YODER: Mr. Shumate, does that work  
16 for you also, 10:00 on the 28th?

17 MR. SHUMATE: Yes. This is Matt Shumate.  
18 Yes, that works for us also, your Honor.

19 MR. MACBRIDE: Judge, as I am sure you're  
20 familiar, in advance of the hearing, we, NuStar will  
21 undertake to talk to all the parties, get cross exam  
22 time estimates, see if there's witnesses that no one  
23 wants to cross and come up with a schedule, which  
24 then that may dictate the number of days of hearing,

1 make it obvious.

2 JUDGE YODER: Right. And if you determine  
3 there are witnesses that no one has any cross, just  
4 check with me and make sure I don't have any  
5 questions. If I don't have any questions and no  
6 other party has any questions, then obviously,  
7 admission of that party's testimony by affidavit  
8 would be fine.

9 Mr. Burrus, you haven't intervened yet, but  
10 assuming you do -- you or your company does or the EJ  
11 Water Corp -- would 10:00 on the 28th work?

12 MR. BURRUS: Yes, your Honor.

13 JUDGE YODER: Okay. We will enter that  
14 schedule with the additions that the parties have set  
15 out.

16 MR. MACBRIDE: Judge, this is Owen MacBride.  
17 Just so I am clear on the ALJ Proposed Order. It  
18 sort of sounds like you actually don't want Proposed  
19 Orders. If we want to submit a Proposed Order  
20 summarizing --

21 JUDGE YODER: I never stop anybody from  
22 doing that. Depends when you do it. I mean, when I  
23 get the initial briefs, I start summarizing the  
24 party's position. If it gets filed with the reply

1    briefs, I have already summarized the party's initial  
2    brief or initial positions.  So I could throw out my  
3    work.  And I hate to wait and see if anybody does  
4    file one, because I generally don't require it.  So I  
5    don't -- if you want to do it, I won't stop you.  But  
6    it's probably too late in the process for me to --  
7    that's why the conclusions, you know, those obviously  
8    don't get done until after the reply briefs are in  
9    and everything.

10           Is there anything else about the schedule or  
11    any other issues we have before I talk to any of the  
12    landowners who are here?

13           MR. FOSCO:  Your Honor, Carmen Fosco on  
14    behalf of the Rockies Express Pipeline.  My  
15    understanding is NuStar and Staff have discussed data  
16    request response timelines.  And based on my  
17    understanding of those, we have no objection to  
18    those, but we would like those to be adopted by you.

19           JUDGE YODER:  Trying to make notes.  
20    Mr. MacBride, if you could lay those out again, the  
21    turnaround.

22           MR. MACBRIDE:  The proposed discovery  
23    schedule -- this was the response time for responding  
24    to data requests.  And the dates I am going to give

1 are the date on which the data request was issued.  
2 So from the start of the case through April 11, the  
3 response time would be 21 days. From April 12th  
4 through May 31, the response time would be 14 days.  
5 From June 1 through June 20, the response time would  
6 be seven days. And from June 21 through the hearing,  
7 the response time would be four days.

8 Now, number one, the parties would endeavor  
9 to provide responses to requests as they're available  
10 rather than waiting until the end of the period to  
11 respond to all the requests in a particular set.

12 Second, these days are best efforts, which  
13 means -- which I always take to mean you respond to  
14 the request within the time period, but if there are  
15 particular requests that may require more time, as  
16 soon as you are able to determine that you may need  
17 more time, you contact the propounding party and give  
18 them an estimate of when you will be able to answer  
19 the request beyond the stated deadline so that  
20 they're aware of that --

21 JUDGE YODER: All right.

22 MR. MACBRIDE: -- is the proposal.

23 JUDGE YODER: Any party have a problem with  
24 the discovery turnaround times as set forth by

1 Mr. MacBride?

2 MR. SHUMATE: No objection from the Union  
3 Pacific Railroad.

4 JUDGE YODER: All right then.

5 MR. FOSCO: No objection from Rockies  
6 Express Pipeline.

7 JUDGE YODER: All right. Then those will be  
8 adopted for use in this proceeding.

9 Anything else before I talk to the  
10 landowners?

11 MR. MACBRIDE: This would be apparent to  
12 anyone who looked at e-Docket, but I just want to  
13 note for the record that since the original filing on  
14 December 22nd, when NuStar filed both its application  
15 and its direct testimony, we have filed several  
16 corrections and additions. I just note this.

17 On January 14th, we filed Revised Attachment  
18 10 to the application and Revised NuStar Exhibit 5.8.  
19 Those are on e-Docket. On January 14th, we filed the  
20 affidavit of Carin, C-A-R-I-N, Hoch, H-O-C-H, of  
21 mailing notification letters to the utility pipelines  
22 and so forth. And finally, on January 15th, we filed  
23 an additional exhibit identified as NuStar  
24 Exhibit 4.4, which is NuStar's Agricultural Impact



1 Mitigation Agreement that's been entered into with  
2 the Illinois Department of Agriculture, and that was  
3 just finalized and signed on January 14th. So it's  
4 not available to be filed until then. But that also  
5 is available on e-Docket. And that will be an  
6 exhibit sponsored by NuStar witness, Mr. Buchanan.

7 JUDGE YODER: All right. Any other party  
8 have anything else before we discuss the process with  
9 the landowners?

10 (No response.)

11 JUDGE YODER: All right. We will indicate,  
12 before I forget, this matter will be continued until  
13 June 28, 2016, at 10:00 a.m., unless the parties feel  
14 there is a need to set it before that date, date for  
15 pretrial motions to be heard.

16 MR. FOSCO: Your Honor, I am sorry. I did  
17 have one other question.

18 I believe you require or like the parties to  
19 provide you with Word copies of their briefs and  
20 testimony.

21 Do you also, your Honor, want to receive  
22 hard copies?

23 JUDGE YODER: No, I do not wish to receive  
24 hard copies of anything. Word copies would be fine,

1 especially of the briefs. The other ones, that's  
2 fine.

3 Does anyone see the need to set a date  
4 perhaps like on June 22nd or 23rd for pretrial  
5 motions to be filed?

6 (No response.)

7 JUDGE YODER: If nobody sees the need; if  
8 anybody feels the need to file any pretrial motions,  
9 please file those and we can maybe get a hearing date  
10 set so we don't eat up hearing time.

11 MR. SHUMATE: Your Honor, this is Matt  
12 Shumate with Union Pacific Railroad.

13 The reason we filed our Petition to  
14 Intervene in this, it's a requirement in the state of  
15 Illinois that if there is going to be a taking of our  
16 railroad operating property that the railroad section  
17 of the Illinois Commerce Commission approve it.

18 And what we need to do is our real estate  
19 people and our engineering folks have to sit down  
20 with the counterparts at NuStar. We have not, to my  
21 knowledge or to our railroad's knowledge, been  
22 approached by them yet. And we would like to sit  
23 down with them and to assure that the location,  
24 construction, maintenance and interaction with the

1 railroad operations and facilities is acceptable to  
2 the Union Pacific's chief engineer and complies with  
3 all the laws and regulations. So that's why we filed  
4 our Petition to Intervene. We haven't heard.

5           And since it is anhydrous ammonia and since  
6 there is a major crossing on our Route 128, we want  
7 to make sure that the location of the line is such  
8 that it's built appropriately in accordance with  
9 AREMA standards, will be relocated at NuStar's cost  
10 and expense if our railroad operations are adversely  
11 impacted if we have to change our railroad operations  
12 at the location as there is a grade separation bridge  
13 at this location.

14           JUDGE YODER: Okay. Thank you.

15           MR. MACBRIDE: Mr. Shumate, this is Owen  
16 MacBride. My colleague, Ms. Bone, is going to call  
17 you later today and hopefully get contact information  
18 for your engineers or other operations, people that  
19 the NuStar folks can contact directly, if that's  
20 acceptable to you.

21           MR. SHUMATE: Absolutely. And also, you  
22 know, on the record, Union Pacific does not object to  
23 the application. We just have to make sure that our  
24 interests as a common carrier are protected.

1 JUDGE YODER: All right. Thank you.

2 All right then. As I indicated before,  
3 there are some landowners who received notice of this  
4 proceeding today. This is the prehearing conference.  
5 It kicks off the process. I think most of you were  
6 here, so you heard us discuss the scheduling going  
7 forward. What I will do today is kind of talk about  
8 the general ICC policies and practices, how we handle  
9 proceedings.

10 As indicated, this docket has a one-year  
11 deadline, so the Commission will enter its Order by  
12 December 22, 2016. NuStar filed its direct testimony  
13 with their petition and has indicated we have set a  
14 schedule for Staff, and there's various Intervenors  
15 on the phone, and any other parties who wish to  
16 intervene will have a chance to file their testimony  
17 in response to NuStar's direct testimony. That will  
18 be filed by April 12, 2016.

19 NuStar then has the opportunity to file  
20 rebuttal testimony. That will be filed by May 6th.  
21 Staff and any Intervenors get a chance to file their  
22 rebuttal testimony by June 1st. And since NuStar has  
23 the burden of proof, they get the chance to file the  
24 last round of testimony, called surrebuttal

1 testimony. That will be filed June 21st.

2 We have set this matter for an evidentiary  
3 hearing. We'll start on June 28, 2016, at 10:00 a.m.  
4 At this point, the parties have set aside three days.  
5 It's unclear, since we only have one round of  
6 testimony, how many contested issues there are. So  
7 we don't know if it will go all three days or not.

8 But following the evidentiary hearing, the  
9 parties have the opportunity to file briefs, which  
10 they set forth their position on the facts and apply  
11 the law to the facts presented in this case.  
12 Following the filing of the parties' initial and  
13 reply briefs, I would prepare a Proposed Order.  
14 That's sent out to all the parties. Parties then  
15 have an opportunity to file briefs on exceptions,  
16 which they take exception to anything in that  
17 Proposed Order that they don't agree with. They say,  
18 no, you're wrong. Here's what you should have said.  
19 After that, everybody gets an opportunity to tell me  
20 how it was right in the first place. They file reply  
21 briefs to those exceptions.

22 This matter will ultimately be decided by  
23 the Illinois Commerce Commission, which is the  
24 five-member commission. They review the filings and

1 they make the final decision on this application  
2 after everybody has had their chance to weigh in.

3 Now, I have indicated there's been some  
4 parties who have intervened. Any interested party  
5 has the opportunity to intervene in this docket. You  
6 don't have to. You can follow along and see what is  
7 filed. As indicated, this is I think to operate an  
8 existing pipeline and add an additional lateral  
9 pipeline. And in the application, they have  
10 requested from the Commission the opportunity for  
11 eminent domain authority, should they need it at a  
12 later date.

13 If the Commission grants eminent domain  
14 authority, that does not constitute the taking of the  
15 property. Those actions are handled in your local  
16 county court. So NuStar would have the opportunity  
17 to file an action in the local county court to say:  
18 We haven't been able to come to an agreement. We  
19 need eminent domain authority. Let the court decide  
20 what the fair value of the taking of the property is  
21 by NuStar.

22 If anyone wants to intervene, you  
23 essentially have between now and April 12th to  
24 decide. If you decide to intervene, you can do it by

1   yourself or you can hire an attorney to do that. I  
2   say, essentially, by April 12th. You can intervene  
3   at any time, but that's when your testimony would be  
4   due. If you miss the date to file your direct  
5   testimony, we don't go back and let you file it.  
6   Everybody has had their opportunity to file by  
7   April 12th. So if you don't file by that date, you  
8   would only have the opportunity to file rebuttal  
9   testimony responding to other people's testimony.

10           If you wish to see how to intervene or wish  
11   to know how to intervene, as indicated, there's been  
12   a couple of petitions filed. If you look on the  
13   Commission's e-Docket website at [icc.illinois.gov](http://icc.illinois.gov),  
14   down in the lower right, there is a place where you  
15   can enter a case number. This one is 15-0646. You  
16   put that in there and hit enter or go -- I can't  
17   remember what it says -- and that takes you to  
18   everything that's been filed in this case on the  
19   Clerk's website.

20           You can see the previous Petitions to  
21   Intervene that have been filed, you can review all  
22   the testimony that's already been filed or will be  
23   filed if you want to just follow along, not  
24   intervene, you can do that. But if you do intervene,

1   you need to follow the Commission's rules. Those are  
2   contained in Part 200. Those are viewable on the  
3   JCAR website or you can talk to our Chief Clerk's  
4   Office if you need a copy of the Rules of Practice.

5           I've tried to lay out the basic process that  
6   we handled here. Does anyone have any questions  
7   about the process of the Commission? I can't discuss  
8   really the evidence or anything or what discussion  
9   you had with NuStar, whether they have tried to come  
10   to an agreement with you on your property and their  
11   use of it or anything. But does anyone have any  
12   questions about the procedure here at the Commission?

13                               (No response.)

14           JUDGE YODER: All right. Anything else from  
15   any of the parties?

16           MR. MACBRIDE: Judge, this is Owen MacBride.  
17   This is up to you, but some of the judges advise  
18   landowners and others that they would be expected to  
19   provide an e-mail address and accept documents by  
20   e-mail.

21           JUDGE YODER: Yeah. If you decide to  
22   intervene, it is -- you don't have to, but it makes  
23   it a lot easier if you give an e-mail address. You  
24   get documents instantaneously, you don't risk



1 something getting lost, you don't see a filing that  
2 gets -- that way everybody -- and the Commission  
3 can't buy postage, so we really like it if people  
4 give us an e-mail address.

5 So with that, any questions from any  
6 landowners?

7 (No response.)

8 JUDGE YODER: Anything from any of the  
9 attorneys?

10 MS. SHERRILL: Your Honor, this is Marcy. I  
11 just have one quick question. And I am sure I just  
12 didn't write this down.

13 I noted that you granted UP's petition when  
14 it's properly filed.

15 Did you rule on REX's petition?

16 JUDGE YODER: I think I did. I think I said  
17 both would be granted -- I assume Union Pacific's has  
18 been filed properly. I just want to make sure it's  
19 accepted by the Clerk before I grant it.

20 There was no objection to Rockies Express,  
21 so that one is granted also.

22 MR. SHUMATE: As of now, your Honor -- this  
23 is Matt Shumate -- it was filed this morning. It has  
24 not been rejected.

1 JUDGE YODER: Okay. Well, but it hasn't  
2 been accepted, so I will wait until it's been  
3 accepted.

4 MR. SHUMATE: Okay. Thank you.

5 JUDGE YODER: If there is nothing else then,  
6 I will at this point continue this matter to June 28,  
7 2016, at 10:00 a.m. As indicated, if we feel the  
8 need for a motion hearing before that, if anybody  
9 files pretrial motions or anything, if there's any  
10 other issues, we can address that at a later date.

11 If there is nothing else then, thank you.

12 (Matter continued to June 28, 2016,  
13 at 10:00 a.m.)

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CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the hearing aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

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Angela C. Turner  
IL CSR #084-004122